



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,692	12/05/2003	Grigore Rusu	DC-05675	9987
33438 7590 04/24/2009 HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720				
EXAMINER McCORMICK, GABRIELLE A				
ART UNIT 3629		PAPER NUMBER		
NOTIFICATION DATE 04/24/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tmunoz@hamiltontertile.com

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/728,692	Applicant(s) RUSU, GRIGORE
Examiner Gabrielle McCormick	Art Unit 3629

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 April 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/JOHN G WEISS/
Supervisory Patent Examiner, Art Unit 3629

/G. M./
Examiner, Art Unit 3629

Continuation of 11, does NOT place the application in condition for allowance because:

Applicant's arguments are not persuasive. Applicant acknowledges that "paragraph [0157] narrowly addresses storing product information related to a customer" but that nothing in Macleod provides the expansive disclosure suggested by the Examiner. The Examiner reiterates the teaching of Macleod with respect to claim 1: (P[0157]: "a thread or string may represent dialog about a customer, product..."); Further support of a labeled reference providing product information stems from the transcript and audit trail of the customer interactions (P[0075]) that is used to build a knowledge base by extracting maximum information that becomes a threaded interaction history (P[0089-0090]) and where determinations for performing processes of the invention are based on product (P[0095]). P[0140] teaches that the multimedia interactions are accessed via text blocks. A text block is a reference. Further, in P[0212-0214], the interactions are stored in the IOM and include meta-data objects (labeled references) based on purchase information (i.e., product information) such that the IOM is used to interface to product information databases. Thus, the interactions are stored such that they provide product information.)

Applicant further argues that no motivation exists to combine the references. The Examiner disagrees and maintains that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included displaying directed graphs with nodes interconnected by edges, as disclosed by Leshem in the system disclosed by Macleod, for the motivation of providing a method of tracking user activity and behavior patterns to graphically display the information on a site map. (Leshem; C27; L63-66). This feature permits fine-grain inspection of the site usage data which is useful for analyzing security attacks and studying visitor behavior patterns. (Leshem; C30; L35-38). One would be motivated to expand Macleod to use this data analysis means to supplement its STM module that is geared toward improving customer service and streamlining operations. (Macleod; P[0311]). Macleod also discloses that the self-help wizard has a reporting system that access updated information in the IOM to abstract meta-data and allows statistical calculation of client access to aid wizard authors in more effectively designing the wizard. (Macleod; P[0391]).

Further, Macleod discloses that agents have web access (P[0096-97]), thus the system of Macleod is capable of using the system of Leshem to track, not only customer web interactions, but also agent interactions, thus producing graphical displays of both user type activities with the predictable results of tracking and storing URL access in a chronological manner for customers and agents accessing web pages and scripts while interacting with customers.